

Cluster Area I: General Supervision (GS)

Question: Is effective general supervision of the implementation of the Individuals with Disabilities Education Act ensured through the state education agency's (SEA) utilization of mechanisms that result in all eligible children with disabilities having an opportunity to receive a free appropriate public education (FAPE) in the least restrictive environment (LRE)?

Probes:

- GS.I Do the general supervision instruments and procedures (including monitoring, complaint and hearing resolution, etc.), used by the SEA, identify and correct IDEA noncompliance in a timely manner?
- GS.II Are systemic issues identified and remediated through the analysis of findings from information and data collected from all available sources, including monitoring, complaint investigations, and hearing resolutions?
- GS.III Are complaint investigations, mediations, and due process hearings and reviews completed in a timely manner?
- GS.IV Are there sufficient numbers of administrators, teachers, related services providers, paraprofessionals, and other providers to meet the identified educational needs of all children with disabilities in the State?
- GS.V Do State procedures and practices ensure collection and reporting of accurate and timely data?

State Goal (for reporting period July 1, 2003 through June 30, 2004):

- Effective general supervision of the implementation of the Individuals with Disabilities Education Act is ensured through the State education agency's (SEA) utilization of mechanisms that result in all eligible children with disabilities having an opportunity to receive a free appropriate public education (FAPE) in the least restrictive environment (LRE).
- The Department of Elementary and Secondary Education has a proper method of monitoring and ensuring compliance in all programs providing special education and related services to youth with disabilities in city and county jails.
- The Department of Elementary and Secondary Education ensures that general and special education personnel are trained in appropriate content to improve the achievement of students with disabilities grades K-4.*
- The Department of Elementary and Secondary Education ensures that general and special education personnel are trained in the appropriate content to improve post-secondary outcomes of students with disabilities.*
- Special education personnel reporting system is used for data-based decisions to assist in improving the achievement of students with disabilities.*

*Also goal/indicator for students who are non-disabled.

Performance Indicators (for reporting period July 1, 2003 through June 30, 2004):

- GS.I The general supervision instruments and procedures (including monitoring, complaint and hearing resolution, etc.), used by the SEA, identify and correct IDEA noncompliance in a timely manner.
- GS.II Systemic issues are identified and remediated through the analysis of findings from information and data collected from all available sources, including monitoring, complaint investigations, and hearing resolutions.
- GS.III Complaint investigations, mediations, and due process hearings and reviews are completed in a timely manner.
- GS.IV There are sufficient numbers of administrators, teachers, related services providers, paraprofessionals, and other providers to meet the identified educational needs of all children with disabilities in the State.
- GS.V State procedures and practices ensure collection and reporting of accurate and timely data.

GS.I The general supervision instruments and procedures (including monitoring, complaint and hearing resolution, etc.), used by the SEA, identify and correct IDEA noncompliance in a timely manner.

1. Baseline/Trend Data and Analysis (for reporting period July 1, 2003 through June 30, 2004):

Missouri is currently in the fourth year (2004-05) of a five-year monitoring cycle during which all school districts in the state are reviewed. Special Education monitoring is completed in conjunction with the Missouri School Improvement Program (MSIP) district review and accreditation process. For a full description of the Special Education Monitoring system, see <http://www.dese.state.mo.us/divspeced/Compliance/MSIP/index.html>. In brief, districts attend training and complete a self-assessment the year prior to the MSIP review. The self-assessments are submitted to the Division, and monitoring staff use the self-assessment results combined with a desk review to determine which districts will receive an on-site monitoring. Some monitoring standards and indicators have been changed slightly during this cycle in response to findings from previous years, but the majority of the review has been consistent for this cycle. Performance standards are increasingly becoming more of a focus.

The table below shows that initial monitoring reviews find at least one area of noncompliance in more than 80% of districts, indicating that noncompliance is being identified. Many of the districts are found in compliance at the first follow-up. More detailed monitoring data are included under various clusters and probes throughout this report. Two main types of monitoring calls are made during a review.

- 1) Procedural compliance – when findings of non-compliance are made, districts are required to implement corrective action plans. Methods for ensuring correction of noncompliance are discussed in detail below.
- 2) Performance calls – Districts are evaluated in regard to performance data including, but not limited to, assessment, least restrictive environments, incidence rates, graduation and dropout rates. For each performance item indicated as “not met,” the agency must develop a plan to address the lack of progress. This plan must be documented through the agency’s annual special education program evaluation. An assurance statement also is provided to the agency stating that the agency will develop and implement a corrective action plan to address these performance goals. This assurance statement must be signed and returned to the Compliance Section within thirty calendar days from the date of the final report. Failure to meet a performance standard is not considered non-compliance, and follow-up reviews do not address the performance areas, however performance is evaluated on an on-going basis through the Special Education District Profiles.

District data for 3rd cycle of monitoring (2001-02 through 2005-06)

Year	Number of initial reviews	Number with areas of noncompliance	Percent non-compliant at initial review	Number cleared through follow-up	Number not cleared of non-compliance after follow-up
2001-02	102	87	85.3%	78	9
2002-03	100	94	94.0%	43	51
2003-04	107	106	99.1%	26	38 (42 not due)

Source: Missouri Division of Special Education - Compliance Monitoring System (CMS) as of 03/28/05

Not all districts with identified noncompliance have been cleared; however, results reported here are significantly improved since one year ago. In February 2005, DESE contracted with two former special education administrators to complete follow-up reviews with all districts that had remaining noncompliance. In addition to the contractors, Compliance staff were also focusing on completing follow-up reviews. Since January 2005, approximately 130 districts have been contacted, and 128 reports issued. Actions taken to correct remaining noncompliance include the following:

- For districts in Follow-up 3 or 4 status – a compliance supervisor has been assigned to work with each district individually. One-on-one technical assistance and/or training will be provided in order for these districts to be in full compliance by June 30, 2005. If districts are not in compliance after that point, sanction procedures will be implemented.
- For districts in Follow-up 2 status – these districts must submit their corrective action plan to the Compliance section by May 1, 2005. The plans will be approved or disapproved by Compliance staff. If disapproved, Compliance staff will design a corrective action plan for the district. Technical assistance and/or training will be provided in order for these districts to be in full compliance by November 1, 2005. If districts are not in compliance after that point, sanction procedures will be implemented.
- Districts that have received a final report resulting from an initial review during 2004-05 will receive a letter that clearly states that all noncompliance must be corrected within one year from the final report. These districts must also submit their corrective action plans for approval. These districts will be contacted six months and nine months after the date of the final report in order to assess progress in completing the corrective actions in order to ensure full correction of noncompliance within one year. If these districts are not in compliance within one year from the final report, sanction procedures will be implemented.

Additional information regarding timely correction of noncompliance is contained in the “Explanation of Progress and Slippage” section below.

Sanctions and Corrective Actions

The Missouri State Plan for Part B of the Individuals with Disabilities Education Act states that “the Missouri Department of Elementary and Secondary Education (DESE) may withhold, in part or whole, state and/or federal special and general education funds when a local education agency (LEA) is determined to be either unwilling or unable to provide FAPE. Such determination will be based on a LEA’s refusal or failure to comply with a corrective action or hearing decision as ordered by the DESE in:

- A. a monitoring report stemming from a monitoring for compliance with IDEA, Part B; or,
- B. a child complaint decision in which the LEA has been found out of compliance; or,
- C. a due process hearing decision of a state level hearing.”

The sanction of withholding payments will follow a failure to accomplish the corrective actions that are already required of the district as part of the DESE Division of Special Education complaint or monitoring review decision. Corrective actions may include, but are not limited to:

- Mandatory training for district personnel
- Mandatory use of state sample forms
- Mandatory evaluations or reevaluation to address outdated, incomplete or inaccurate evaluations
- Mandatory IEP meetings to address procedural violations or non-delivery of services on the IEP
- Mandatory district plans to outline the steps and documentation a district will institute to correct non-compliance issues
- Mandatory recovery of funds to address the misappropriation of either state or federal funds
- Mandatory educational records review to address systemic issues
- Mandatory posting/public dissemination of State monitoring reports
- Mandatory reporting by district staff on a regular basis to local governing board on progress toward correcting identified non-compliance

Missouri’s State Plan for Special Education currently only refers to the one sanction of withholding funds. Since DESE will be making revisions to the state plan in conjunction with the issuance of OSEP regulations for of IDEA 2004, a more comprehensive system of sanctions will be implemented with this revision.

Monitoring data for youth in city/county jails

	Total Districts/ Agencies Reviewed	Number out of compliance (initial)	Percent out of compliance (initial)
2003-04	32	20	62.5%

Compliance staff are currently processing the follow-up reviews for the twenty districts found to be out of compliance during 2003-04. If noncompliance has not been corrected at the time of the follow-up review, the same procedures as described for districts in follow-up 2 status will be implemented. The results of the follow-up reviews will be included in DESE's final report which is due to OSEP by June 27, 2005.

2. Targets (for reporting period July 1, 2003 through June 30, 2004):

- Focus monitoring and technical assistance on areas identified as problem areas in previous monitoring and child complaints.

3. Explanation of Progress or Slippage (for reporting period July 1, 2003 through June 30, 2004):

Alan Coulter from the National Center on Special Education Accountability Monitoring (funded by OSEP) is working with Missouri to establish a focused monitoring system for the next five-year cycle which begins with the 2006-07 school year. A pilot focused review process is being conducted with ten districts across the state in spring 2005. Focus areas are elementary achievement and secondary transition. This pilot will be evaluated at the end of 2004-05 and refined as necessary. The pilot will be continued in 2005-06 with full implementation expected in 2006-07 which is the beginning of the fourth cycle of MSIP.

Progress Report: Effective General Supervision – Timely Correction of Noncompliance

All but three (3) final monitoring reports for 2003-04 initial reviews were issued by September 1, 2004. The three not issued by this date were for charter schools that received on-site visits in late May 2004. Those reports were issued during the month of September.

All districts in follow-up status are being notified as described above. The results of these procedures will be that all noncompliance will have been corrected or sanction procedures implemented for all districts whose final report was issued more than one year ago.

Internal procedures have been developed to manage the review of corrective action documentation submitted as required. The Compliance Section Data Specialist has established a "tickler" system in the Compliance Management System (CMS) for six (6) and nine (9) months post initial review, if the district has a Corrective Action Plan (CAP). Monthly reports are given to the compliance supervisor responsible for the district so that they may follow-up with districts on their CAP submissions.

Final monitoring reports in the 2004-2005 school year have not included specific corrective actions for each area of systemic noncompliance identified. This will be done beginning with the 2005-2006 school year. Districts will be required to submit a Corrective Action Plan to the Division of Special Education specifying how they will correct their non-compliance and the timeline for achieving such. Districts that have received a final report resulting from an initial review during 2004-05 will receive an additional letter that clearly states that all noncompliance must be corrected within one year from the final report. This statement will be included in final report letters sent after April 1, 2005.

Progress Report: Effective General Supervision – Correction of Noncompliance between 80% and 100%

Districts monitored during the 2004-2005 school year were provided with individual printout results of the file review for each student record reviewed. Where individual noncompliance was found, districts are required to correct the noncompliance. When follow-up reviews are conducted, some or all of these files will be reviewed.

Progress Report: General Supervision for Incarcerated Youth with Disabilities

The special education child count collection was not revised to collect data regarding youth with disabilities held in city/county jails. The revision was determined not to be required at this point since the current collection is based on a point in time and this population has high mobility. These data will be collected through the Special Education Monitoring Self-Assessment (SEMSA) process.

Follow-up reviews are currently being conducted for districts found out of compliance during 2003-04 initial reviews. Results will be reported in the June 2005 final report to OSEP. Districts with onsite reviews continue to be interviewed regarding provision of services to youth with disabilities in city and county jails. Any districts found out of compliance are required to develop a corrective action plan and to correct the noncompliance within one year.

Special Education 3rd Cycle Missouri School Improvement training conducted in October/November 2004 included a required narrative response as a part of the special education self-assessment. Documentation is due to the Division in April 2005 and will be reviewed during summer 2005. The Division of Special Education will use the information to make determinations for on-site reviews and compliance/non-compliance calls.

4. Projected Targets:

- Continue to focus on areas identified as problem areas in previous monitoring and child complaints
- The percent of districts found out of compliance on initial reviews decreases
- The percent of districts found out of compliance on child complaints decreases
- All identified non-compliance corrected within one year from date of final report

5 & 6. Future Activities to Achieve Projected Targets/Results and Projected Timelines and Resources:

See also BF.IV and BF.V

Cluster/ Probe	Improvement Strategies	Benchmarks/Activities	Timeline	Resources
GS.I BF.II BF.IV BT	Develop and implement system of incentives for Local Education Agencies (LEA) based on performance of students with disabilities	Create incentives such as: District rankings Waivers Distinction Lists	2005-2006	Section Responsibility: EP, Data, Comp
		Process developed for implementation of system	2005-2006	Funding Type: Part B
		Implementation of system with 4 th cycle MSIP	2006-2007	
GS.I BF.II BF.IV BT	Develop and implement a system for targeted technical assistance for district needing to improve elementary achievement and secondary transition outcome data	Develop system to identify districts	Completed	Section Responsibility: EP, Data
		RPDC consultants trained to provide targeted technical assistance	Completed	
		Performance data utilized to link district with best practices information	2005-2006	Funding Type: Part B
		Professional development activities aligned to performance goals	Completed	

Cluster/ Probe	Improvement Strategies	Benchmarks/Activities	Timeline	Resources
GS.I BF.II BF.IV BT	Collaborate with LEAs and Missouri School Improvement Plan (MSIP) on the incorporation of the use of performance data for students with disabilities	Collaborate with MSIP on ways LEAs can use performance data	2005-2006	<u>Section Responsibility:</u> EP, Data, Comp <u>Funding Type:</u> Part B
		Assistance provided to LEAs in developing a plan to use performance data	2005-2006	
		Check with LEAs to determine how data is being incorporated in their decision-making process	2005-2006	
		Incorporate use of information with special education monitoring for 4 th cycle MSIP	2006-2007	
GS.I BF.II BF.IV BT	Create program evaluation model for use in annual evaluation and improvement planning	Content developed	Completed	<u>Section Responsibility:</u> EP, Data <u>Funding Type:</u> Part B
		Initial training conducted	Completed	
		Districts/RPDC Consultants use in field	2004-2005	
		Revisions and additional training if necessary	2005-2006	
GS.I BF.II BF.IV BT	Implement focused monitoring system	Develop procedures for pilot	Completed	<u>Section Responsibility:</u> EP, Comp <u>Funding Type:</u> Part B
		Identify districts for pilot	Completed	
		Pilot reviews	2004-2005	
		Evaluation of pilot and revisions made as needed	2005-2006	
		Full implementation of focused monitoring process	2006-2007	
GS.I BF.II BF.IV BT	Collaborate with DESE divisions and urban educators to identify issues specific to larger geographical areas that may serve as a barrier to the educational success of students with disabilities	Teacher and Urban Education Plan adopted by the State Board of Education	2004-2005	<u>Section Responsibility:</u> EP <u>Funding Type:</u> Part B
		Collaborative implementation plan developed with Teacher Certification and Urban Education	2005-2006	
		Technical assistance and training plan developed with St. Louis City and Kansas City to address performance issues	2005-2006	
GS.I	Improve monitoring procedures such that all identified noncompliance is corrected within one year	Contact districts that have not corrected noncompliance within one year as described above	2004-2005	<u>Section Responsibility:</u> Comp <u>Funding Type:</u> Part B
		Alert districts that are within one year correction timelines that noncompliance must be corrected within one year or sanctions imposed	2004-2005	
		Implement procedures that will enable districts to correct noncompliance within one year	2004-2005	
		Initiate sanctions procedures if necessary	2005-2006	

GS.II Systemic issues are identified and remediated through the analysis of findings from information and data collected from all available sources, including monitoring, complaint investigations and hearing resolutions.

1. Baseline/Trend Data and Analysis (for reporting period July 1, 2003 through June 30, 2004):

Systemic issues are identified through an analysis of monitoring data, child complaint and due process data and other anecdotal information. Monitoring data is considered systemic if more than 20% of districts were found out of compliance for the last three school years. Identified systemic issues and remediation efforts include the following:

Systemic Issue	Remediation
Referral procedures	<ul style="list-style-type: none"> Utilization of state forms Problem Solving General Education Intervention to Increase Achievement training through Regional Professional Development Centers (RPDC) Differentiated Instruction training through RPDCs
Evaluations (Initial and Reevaluation)	<ul style="list-style-type: none"> Utilization of state Review of Existing Data forms Quality Eligibility Determination training through RPDCs Regional and/or individual district training Technical assistance during on-site reviews
Content of IEP	<ul style="list-style-type: none"> State sample forms developed and disseminated Utilization of state IEP, Prior Written Notice and Meeting Notification forms Measurable Goals and Objectives training through RPDCs K-12 Least Restrictive Environment Decision Making training through RPDCs
Part C to Part B Transition	<ul style="list-style-type: none"> Transition training module Early Childhood Special Education Services in the Least Restrictive Environment through the RPDCs
Discipline	<ul style="list-style-type: none"> Utilization of state discipline form Positive Behavioral Support Institute through the RPDCs
Transfer Procedures	<ul style="list-style-type: none"> Utilization of state transfer form
Post-Secondary Transition	<ul style="list-style-type: none"> Utilization of state transition plan form Empowerment for Life: Teaching Self-Determination Strategies for Effective Transition training through RPDCs Differentiated Instruction for Career and Vocational Education training through RPDCs State Improvement Grant (SIG) funding for improvement planning in area of post-secondary outcomes Pilot focused monitoring process in area of post-secondary outcomes
Elementary Achievement	<ul style="list-style-type: none"> Differentiated Instruction training through RPDCs Curriculum-Based Measurement training through RPDCs Effective Instructional Practices training through RPDCs Collaboration and Co-teaching training through RPDCs State Improvement Grant (SIG) funding for improvement planning in area of elementary achievement Pilot focused monitoring process in area of elementary achievement

Additional trainings that address systemic issues include the following:

- Annual training for New Directors of Special Education and follow-up
- Special Education Monitoring Self-Assessment (SEMSA) training for 100+ districts each year
- Presentation on how to avoid/correct systemic issues presented at Special Education Administrators' Conference (September 2004)
- Regional and/or individual district training
- Targeted technical assistance during on-site reviews

2. Targets (for reporting period July 1, 2003 through June 30, 2004):

- Systemic issues are identified and remediated through the analysis of data from all available sources

3. Explanation of Progress or Slippage (for reporting period July 1, 2003 through June 30, 2004):

The development and implementation of the Compliance Monitoring System to collect and maintain data in school year 2001-2002 provided integral monitoring information which can then be compared to child complaint data. The SEMSA and monitoring processes use all available data from monitoring, child complaints, due process hearings and anecdotal information.

4. Projected Targets:

- Systemic issues are identified and remediated through the analysis of data from all available sources
- Additional targets are included in the Future Activities table

5 & 6. Future Activities to Achieve Projected Targets/Results and Projected Timelines and Resources:

Cluster/ Probe	Improvement Strategies	Benchmarks/Activities	Timeline	Resources
GS.II	Develop and implement a web-based monitoring system that utilizes all data from self-assessment, desk reviews, on-site monitoring, child complaints, etc.	Design system	2004-2005	<u>Section Responsibility:</u> Comp, Data <u>Funding Type:</u> Part B
		Develop request for proposals	2004-2005	
		Implement web-based system	2005-2006	
GS.II	Consider implementing and possibly mandating a web-based IEP process system for all districts	Design and/or purchase a web-based IEP process system	2005-2006	<u>Section Responsibility:</u> Comp, Data <u>Funding Type:</u> Part B
		Consider implications for mandating use of the web-based system	2005-2006	

GS.III Complaint investigations, mediations, and due process hearings and reviews are completed in a timely manner.

1. Baseline/Trend Data and Analysis (for reporting period July 1, 2003 through June 30, 2004):

See Attachment 1 – Dispute Resolution - Complaints, Mediations, and Due Process Hearings Baseline/Trend Data.

Descriptions of Due Process Hearing and Child Complaint Systems:

Due Process Hearing System

The Due Process Hearing system in the State of Missouri is a one-tier system consisting of a state-level, three-member Hearing Panel for Part B, a single Hearing Officer for Part C and a single Hearing Officer for Expedited Hearings in Part B. The Part C Hearing Officer and the Part B Expedited Hearing Officer are attorneys under contract with the State of Missouri. The Part B hearing panel is composed of two trained lay officers, one selected by each party, and a Hearing Chair who is an attorney on contract with the State of Missouri. Both the Part B and Part C Due Process Hearing systems incorporate all requirements as specified in the Part B Federal Regulations at 300.506 through 300.514 and the Part C Federal Regulations at 303.419 through 303.425.

Requests for a Due Process Hearing must be made in writing to the Department of Elementary and Secondary Education, Division of Special Education. For the Part B hearing system, within (10) days of the date of the filing of a request, the parties must have identified their choice for a hearing officer. Within fifteen (15) days of the receipt of the request, a Hearing Chair is selected and the panel empowered.

Upon receipt of a request for a hearing, both parties are offered the opportunity for mediation. Both parties must agree to enter into mediation and agree on a trained mediator from a list that is provided. If mediation is successful, a written agreement is developed. All discussions during mediations are confidential and may not be used in any subsequent due process hearings or civil proceedings.

In the Part B system, prior to filing a request for a Due Process Hearing, the parent may submit a request to the Local Education Agency (LEA) for an Informal Resolution Conference. A parent request for a Due Process Hearing is considered to be a waiver of their right to an Informal Resolution Conference. In this case, the LEA may conduct the Resolution Conference and notify the parent of the results or they may waive the conduct of the conference.

If either party does not agree with the hearing decision, they may appeal the findings and decision in either state or federal court. The decision of the Due Process Hearing Panel is a final decision, unless a party to the hearing appeals.

Child Complaint System

A child complaint may be filed by any individual or organization that believes there has been a violation of any state or federal regulation implementing the IDEA in either the Part B or Part C system. The complaint must be filed in writing with the Department of Elementary and Secondary Education, Division of Special Education, unless it is determined that the requirement to file in writing effectively denies the individual the right to file the complaint. The child complaint procedures for Parts B and C incorporate all of the requirements as specified in the Part B Federal Regulations at 300.660 through 300.662 and the Part C Federal Regulations at 303.510 through 303.512.

Child complaints are investigated by a staff member of the Division of Special Education. Decisions are issued by the Commissioner of Education within sixty (60) days of the receipt of the complaint, unless it is determined that a longer period is necessary due to exceptional circumstances that exist with respect to a particular complaint.

In resolving a complaint in which it is found that a Responsible Public Agency is out of compliance, the Department addresses within its decision how to remediate the compliance violation, including as appropriate, the awarding of monetary reimbursement or other corrective action appropriate to the needs of the child; and appropriate future provision of services for all children with disabilities. If needed, technical assistance activities and negotiations are undertaken.

If a written complaint is received that is also the subject of a due process hearing or contains multiple issues of which one or more are part of that hearing, the part(s) of the complaint that are being addressed in the due process hearing are set aside until the conclusion of the hearing.

If an issue is raised in a complaint that has previously been decided in a due process hearing involving the same parties, the hearing decision is binding. A complaint alleging a school district's failure to implement a due process decision is resolved by the Department of Elementary and Secondary Education (DESE).

Child Complaints

School Year	Total Filed	Total Decisions	Total Child Complaints Beyond 60 Day Timeline with Appropriate Extensions	Total Child Complaints Beyond 60 Day Timeline without Appropriate Extensions
2001-2002	125	113	6	0
2002-2003	166	150	3	0
2003-2004	154	145	23	0

Child Complaint Allegations

	2001-2002	2002-2003	2003-2004
Allegations			
Total Number	405	505	439
Number Found Out of Compliance	107	108	132
Percent Found Out of Compliance	26.4%	21.4%	30.1%
Corrective Action Plans			
Number Granted & Met Extension Date	18	10	0
Number Beyond 45 Day Timeline without Extension	30	27	10
Percent Beyond 45 Day Timeline without Extension	28.0%	25.0%	7.8%

Source: Missouri Division of Special Education Child Complaint Database

Formulas:

Percent of Allegations Found Out of Compliance = Number of Allegations Found Out of Compliance/Total Number of Allegations Filed

Percent of CAPs Beyond 45 Day Timeline = Number of CAPs Beyond 45 Day Timeline/Total Number of Allegations Found Out of Compliance

The ten allegations that went beyond 45 days without an extension represent four child complaints from four separate districts. When a child complaint is filed, Division staff break down the complaint into one or more specific allegations. The average number of allegations per complaint is approximately three to four allegations. Each allegation is investigated and those found out of compliance require a corrective action. Some child complaint corrective actions continue to exceed timelines, however, procedures were implemented during 2004-05 to address this situation. See the "Explanation of Progress or Slippage" section below.

Due Process Hearing Requests and Mediations

School Year	Total Due Process Hearings Beyond Timeline without Extension	Total Mediation Agreements Beyond 30 Day Timeline
2001-2002	1	0
2002-2003	0	0
2003-2004	0	0

All child complaints, due process and mediation agreements are completed within timelines (including extended timelines).

2. Targets (for reporting period July 1, 2003 through June 30, 2004):

- All complaint investigations, mediations and due process hearing and reviews are completed within timelines.

3. Explanation of Progress or Slippage (for reporting period July 1, 2003 through June 30, 2004):

The child complaint/due process database allows Division staff to monitor timelines for child complaint investigations, due process hearings and corrective action submissions from districts. Procedures are in place to monitor timelines and since the inception of the database, very few, if any, DESE timelines have been exceeded without extension.

Due to the number of corrective actions that are not received within timelines from districts, procedures for following up on corrective actions have been revised as follows: The Child Complaint Coordinator/Legal Assistant will access the database weekly to assure corrective actions ordered have been submitted in a timely manner. If a corrective action has not been received by 30th day, Child Complaint Coordinator/Legal Assistant will contact the district by phone and/or email. If the district requests an extension, Child Complaint Coordinator will make a decision on the request and forward the decision to Legal Assistant. Legal Assistant will generate a letter to the district either informing them that an extension has been granted and indicating the new due date for submission of the corrective action or informing the district that an extension has not been granted, reminding them of the due date of the corrective action and informing them that sanctions may be imposed for failure to comply, including the withholding of state and/or federal funding provided by DESE.

If the corrective action has not been received by the due date, the district superintendent will be called by coordinator level staff person, and then sent a follow-up letter confirming the phone conversation, and informed that they must submit the corrective action and that failure to comply with the corrective action and due date may result in the withholding of state and/or federal funding provided by DESE. The letter will notify them that they must submit the corrective action within 45 days of the date of the letter. If the corrective action has not been received by day 120, procedures to withhold funding will be implemented.

4. Projected Targets:

- All complaint investigations, mediations and due process hearing and reviews are completed within original or extended timelines
- All child complaint corrective actions are completed within original or extended timelines

5 & 6. Future Activities to Achieve Projected Targets/Results and Projected Timelines and Resources:

Current activities will be continued for maintenance of present performance.

GS.IV There are sufficient numbers of administrators, teachers, related services providers, paraprofessionals, and other providers to meet the identified educational needs of all children with disabilities in the state.

1. Baseline/Trend Data and Analysis (for reporting period July 1, 2003 through June 30, 2004):

Number (FTE) of Employed Fully Certified Personnel				
Position	2000-2001	2001-2002	2002-2003	2003-2004
Special Education Teachers	8,077.3	7,967.8	8,455.0	8,364.0
Early Childhood Special Education Teachers	462.5	525.8	604.7	652.4
Diagnostic and Other Evaluation Staff	498.2	314.8	414.8	462.4
Special Education Directors	220.1	420.2	430.2	417.6
Paraprofessionals	7,298.8	7,015.4	7,226.3	7,034.9
Other Special Education and Related Services Personnel	1,193.2	1,249.0	1,345.0	1,279.8

Source: Personnel data from 618 data reported on OSEP Table 2.

Total (FTE) Employed Teachers and Child Count			
School Age			
Year	FTE Teachers	Child Count	Student/Teacher Ratio
2000-2001	8,696.6	129,345	14.9
2001-2002	8,757.3	132,626	15.1
2002-2003	9,159.9	134,118	14.6
2003-2004	9,192.3	133,171	14.5
Early Childhood Special Education			
Year	FTE Teachers	Child Count	Student/Teacher Ratio
2000-2001	552.6	8,036	14.5
2001-2002	597.2	9,022	15.1
2002-2003	668.0	10,049	15.0
2003-2004	706.3	10,893	15.4

Source: Child count data from Screen 11 of Core Data Collection System as of 01/03/05. Personnel data from 618 data reported on OSEP Table 2. Data includes fully and not fully certified teachers.

Statewide data suggest the numbers of special education personnel are generally increasing and that student/teacher ratios are reasonable for school age and early childhood special education. Statewide supply and demand needs by certification area are outlined in the following table which shows the number of initial educator vacancies, the number of applicants, and the number of positions that were filled and not filled by FTE.

Missouri Department of Elementary and Secondary Education																
Division of Special Education																
Educator Vacancies Reported Statewide																
Summary Report																
Certification Area	INITIAL VACANCIES		APPLICANTS				POSITIONS FILLED				POSITIONS NOT FILLED		Districts Reporting Vacancies			
			Total Number of Applicants		Appropriately Certificated Applicants		Appropriately Certificated (FTE)		Not Fully Certificated (FTE)				Count of Districts	Percent of Districts Statewide	Count of Districts	Percent of Districts Statewide
	2002-03	2003-04	2002-03	2003-04	2002-03	2003-04	2002-03	2003-04	2002-03	2003-04	2002-03	2003-04	2002-03		2003-04	
ADMINISTRATORS:																
Special Education Director	28.3	38.5	135	209	95	137	27.4	31.0	2.0	1.9	0.0	1.4	34	6.5%	43	8.2%
Total Administrators	28.3	38.5	135	209	95	137	27.4	31.0	2.0	1.9	0.0	1.4	—	—	—	—
SPECIAL EDUCATION TEACHERS:																
Behavior Disordered	67.0	64.0	310	254	165	177	58.0	53.0	10.0	7.0	6.0	2.0	44	8.4%	40	7.6%
Blind/Partially Sighted	6.0	4.5	10	3	9	1	3.0	2.0	1.0	1.5	2.0	1.0	10	1.9%	6	1.1%
Deaf/Hearing Impaired	9.0	9.0	14	24	9	22	4.0	7.0	2.0	0.0	2.0	2.0	14	2.7%	11	2.1%
Early Childhood (B-3)	73.6	52.0	2872	2219	2840	2098	71.6	40.0	6.0	6.0	2.0	3.0	39	7.4%	32	6.1%
Cross Categorical	477.7	477.3	1371	2053	918	1398	374.7	340.9	113.0	65.0	5.0	1.4	112	21.4%	123	23.5%
Learning Disabled	242.6	184.3	944	937	726	672	208.6	144.3	32.0	23.0	6.0	4.0	107	20.4%	95	18.1%
Mentally Handicapped	76.0	52.0	310	191	208	159	57.0	40.5	25.0	1.0	12.0	3.0	46	8.8%	31	5.9%
Phys & Oth Hlth Imp	7.0	1.8	52	25	46	16	4.0	1.8	3.0	0.0	0.0	0.0	14	2.7%	7	1.3%
SDD	1.0	3.0	11	71	10	6	1.0	3.0	0.0	0.0	0.0	0.0	7	1.3%	4	0.8%
Total Teachers	959.9	847.8	5894	5777	4931	4549	781.9	632.4	192.0	103.5	35.0	16.4	—	—	—	—
OTHER PERSONNEL:																
School Psychologist	12.5	12.0	47	67	42	54	10.5	12.0	0.0	0.0	2.0	0.0	11	2.1%	7	1.3%
Speech/Language Specialist	221.2	240.4	893	995	825	891	172.8	158.3	34.5	32.3	8.5	25.5	113	21.6%	125	23.9%
School Psych Examiner	20.0	14.5	50	60	39	36	21.0	12.5	0.0	0.0	0.0	1.0	17	3.2%	17	3.2%
Other	63.0	75.5	692	443	645	366	53.0	65.5	4.0	9.0	3.0	1.0	30	5.7%	42	8.0%
TOTALS	1304.8	1228.7	7711	7551	6577	6033	1066.6	911.7	232.5	146.7	48.5	45.3	250*	47.7%	281*	53.6%

Source: Data from ClearAccess Screen 21 as of 06/14/2004.

Notes:

*Total is an unduplicated count of districts reporting vacancies in any of the respective certification areas.

"Other" includes any certification area not listed. "Appropriately certificated" indicates an individual holds a certificate appropriate to the position applied for or filled. "Not Fully Certificated" indicated an individual is a substitute and does not hold a certificate appropriate to the position filled.

Formulas: Percent of Districts Statewide=Count of Districts/N, N=524 (the total number of districts statewide)

Percent of Total Districts with Positions Not Filled=Count of districts with positions not filled in Certification Area/Total Number of Districts with positions not filled

Percent of Districts Statewide=Count of districts with positions not filled in Certification Area/N, N=524 (the total number of districts statewide)

Data show that special education teachers represent the highest percents in initial vacancies reported with the majority being filled with appropriately certificated applicants. The increase in the number of appropriately certificated cross categorical teaching applicants may be helping to decrease positions not filled in specific categorical disability areas. The total percent of districts statewide having initial vacancies remained consistent.

Data suggest the percent of districts with special education teaching positions not filled decreased from 2002-03 to 2003-04. Conversely, the percent of speech language specialist positions not filled increased.

The 2003-04 APR indicated that regional analysis is needed as better data become available (page 16). The Division revised the data collection on special education personnel for the 2004-05 school year in order to have more meaningful data. The first collection has not yet been completed. When the data are available, it will be analyzed for adequate supply, caseload, instructional time and highly qualified implications.

Monitoring Data:

The following monitoring data provide information on the number of districts reviewed each year and the number and percent that were found out of compliance at the initial review. The last column "Number not cleared" represents the number of districts with noncompliance that was not corrected as of the most recent follow-up review. Several district follow-up reviews are not yet due for districts with initial reviews in 2003-04; those districts are not reflected in the number not cleared. Procedures for clearing the remaining noncompliance are detailed in GS.I.

Indicator A 101800 -- Comprehensive System of Personnel Development (CSPD) activities have been implemented

	Total Districts/ Agencies Reviewed	Number out of compliance (initial)	Percent out of compliance (initial)	Number not cleared
2001-02	93	1	1.1%	1
2002-03	90	2	2.2%	0
2003-04	106	12	11.3%	1

Personnel 1 – Caseloads of special education and related service personnel are within state standards

	Total Districts/ Agencies Reviewed	Number out of compliance (initial)	Percent out of compliance (initial)	Number not cleared
2001-02	84	9	10.7%	0
2002-03	88	6	6.8%	0
2003-04	95	6	6.3%	0

Personnel 3 -- The district follows proper procedures for hiring, training and reporting paraprofessionals

	Total Districts/ Agencies Reviewed	Number out of compliance (initial)	Percent out of compliance (initial)	Number not cleared
2001-02	93	8	8.6%	0
2002-03	86	6	7.0%	0
2003-04	94	8	8.5%	0

A relatively low percentage of districts are found out of compliance with standards and indicators related to personnel. Virtually all noncompliance has been corrected, and the districts with remaining noncompliance are being contacted as described in GS.I.

2. Targets (for reporting period July 1, 2003 through June 30, 2004):

- Analyze duties, caseloads, instructional time and certification standards for special education teachers in Missouri
- Revise and implement data collection on special education personnel

3. Explanation of Progress or Slippage (for reporting period July 1, 2003 through June 30, 2004):

The lack of useful data pertaining to special education personnel in Missouri was evident during the improvement planning phase of the Continuous Improvement Monitoring Process. The subcommittees for both of the priority areas of elementary achievement and secondary transition identified the training and professional development of general and special education personnel as being critical to increasing performance in these areas. In order to address the lack of personnel data, the Division planned to conduct a statewide study regarding duties, instructional time and caseloads for special education personnel. After further consideration, and in order to not delay making necessary changes, the Division began work to change the data collection on special education personnel during the 2003-2004 school year without first conducting the study.

Substantial changes were made to data reported by school districts on special education teachers and aides for school year 2004-05. Emphasis for reporting these personnel shifted from an Individualized Education Program case management focus to a course/assignment focus. The new collection requires reporting of instructional activities performed during the school day; non-instructional activities such as testing, consultation with other teachers and travel time; number of students case managed; and the amount of time spent on case management and instructional planning. School districts are currently entering the new information and the data will be examined when data entry is completed.

Missouri has discussed the submission of a grant for paperwork reduction with the Missouri Council of Administrators of Special Education (MOCASE). A decision will be made when applications are available.

4. Projected Targets:

- Revise and implement data collection on special education personnel
- Analyze the new data in regards to certification requirements and the expansion of instructional time

5 & 6. Future Activities to Achieve Projected Targets/Results and Projected Timelines and Resources:

Cluster/ Probe	Improvement Strategies	Benchmarks/Activities	Timeline	Resources
GS.IV BF.II BF.IV	Revise Core Data reporting of special education personnel	Changes to existing core data reporting identified	Completed	<u>Section</u> <u>Responsibility:</u> EP, Data <u>Funding Type:</u> Part B
		Web screens revised	Completed	
		New collection implemented	2004-05	
GS.IV BF.II BF.IV	Analyze the results of core data reporting to determine if changes are needed for special education certification standards/requirements consistent with No Child Left Behind and to determine what technical assistance and training is needed regarding appropriate instructional decision-making and practice	Results shared with stakeholder workgroup	2004-05	<u>Section</u> <u>Responsibility:</u> EP <u>Funding Type:</u> Part B
		Recommendations identified and developed for certification changes if required	2005-06	
GS.IV BF.IV	Analyze recommendations to develop strategies/ recommendations for expansion of instructional time for special education personnel.	IDEA reauthorization reviewed to determine the impact of changes on reduction of paperwork/and instructional time.	2004-05	<u>Section</u> <u>Responsibility:</u> EP <u>Funding Type:</u> Part B
		Collaboration with stakeholders to develop a grant regarding paperwork reduction and increased instructional time.	2005-06	
		Report with recommendations regarding instructional time	2006-07	

GS.V State procedures and practices ensure collection and reporting of accurate and timely data.**1. Baseline/Trend Data and Analysis (for reporting period July 1, 2003 through June 30, 2004):**

Missouri utilizes a web-based data collection system to collect data for the five types of data reported and verified for Section 618, Part B of IDEA. The Division of Special Education Data Coordination section has responsibility for assisting with improving the integrity of special education data collected within the Core Data Collection System. The Core Data Collection System contains screens which are used to collect data from districts. Districts are required to enter data as directed in the Core Data Collection System Manual within specified timelines.

Reporting Accuracy:

The primary methods of facilitating accurate reporting by districts are as follows:

- Error checks and reports - Error checks have been incorporated into the web-based data collection system for invalid data reporting. When particular errors occur, an edit button will be displayed on the data entry screen. If a district's data entry screen is free from particular errors then no edit button will be displayed. Error reports list the district and their respective reporting error(s). Data Coordination personnel review these reports for errors and notify districts accordingly. Districts notify Data Coordination when corrections have been completed. Re-verification of data ensures appropriate revisions have been made.
- Technical Assistance - Data Coordination provides training annually to school district personnel. Topics include, but are not limited to, reporting requirements and facilitating data integrity. New administrators learn how to enter required core data elements and understand the significance of the data for decision making at the local, state, and federal levels. Data Coordination also provides ongoing technical assistance to school district personnel relative to the web-based data collected for special education (districts may call or email to ask questions). Person to person assistance facilitates and verifies reporting accuracy. Discussions with districts provide pertinent information regarding the clarity of the *Core Data Collection System Manual* and the clarity of data entry fields (including error defaults).
- Verification Procedures - Outlined below for each data collection
- Public Reporting - Part B data are used for profiling each public school district's data and statewide data annually. The Profiles include child count, placement, exiting and discipline data, among other items. The Profiles are provided to each district, and upon reviewing the Profiles, many districts see that revisions are necessary. District use of the Profiles vary, but many use the data as a part of their annual program evaluation and for reporting to local boards of education. This public reporting of the data helps to ensure accuracy.
- Monitoring - The Compliance monitoring process used district-reported data when monitoring districts. Districts are evaluated on child count and placement data as well as exit data. During the monitoring process, if districts identify additional reporting errors, the corrections must be made before the compliance staff will consider the new data. Informal verification is done as the compliance staff are reviewing the district's Profile in conjunction with the monitoring reviews.

Data Verification Procedures

Core Data Screen 9 (Discipline Incidents): Suspension/Expulsion for ten or more consecutive days or for more than 10 cumulative days (June Cycle of the Core Data Collection System). Districts receive an error notification (i.e. edit button is displayed) when any field on Screen 9 has not been completed or if invalid combinations have been chosen. Data Coordination may randomly check a district's data for errors or questionable reporting.

Core Data Screen 11 (Child Count, Placement and Census): Child Count, Census and Placement of students receiving services as of December 1 (December Cycle of the Core Data Collection System). In addition to reviewing error reports, data are reviewed for significant year to year changes. Districts are notified as necessary. Data Coordination personnel generate child count and placement (educational environments) data verification sheets for each school district upon completion of data entry. Verification sheets are sent to districts for review and for signature.

Core Data Screen 12 (Exiters): Exiter Data (June Cycle of the Core Data Collection System). Number of students by disability and by total is compared to previous year. Significant percentage changes are noted ($\pm 20\%$ for all exit categories except exiting special education or death which is $\pm 15\%$). Data Coordination may verify data by comparing exiter data entered for students' ages 14 to 22 years with child count and educational environments data entered for the respective reporting year (Screen 11). Exit categories may be reviewed for inordinate increases or decreases. Beginning with 2003-2004 collection, Data Coordination personnel generated review sheets for each school district to cross check exiter data with age 14-21+ child count data reported on Screen 11.

Core Data Screens 18 and 20 (Educator, Course and Assignment Data): Data includes Section 618, Part B data, i.e. the number of full-time equivalent employed to provide special education and related services (October Cycle of the Core data Collection System). Division of Special Education Funds Management personnel verify general reporting accuracy of special education and related services personnel data from public school districts. Verification by Data Coordination entails perusing data for significant increases or decreases from year to year.

2. Targets (for reporting period July 1, 2003 through June 30, 2004):

- Continue to work with districts to improve the accuracy of the data collected and reported
- Collect data on youth in city/county jails

3. Explanation of Progress or Slippage (for reporting period July 1, 2003 through June 30, 2004):

The accuracy of data collection and reporting is assured through a variety of processes within the Division of Special Education. In summary, edits checks are in place when districts enter data into the web-based collection system. Additional edit checks and year-to-year change checks occur when data is received by the Division. All edits are resolved. Verifications and Profiles provide data summaries coving multiple years to the districts. Data are being used to rank districts for focused monitoring and improvement planning purposes. Profiles are used as compliance staff review districts.

During the winter of 2005, the Division is working with selected districts to assess and validate their data collection and reporting methods. We believe that this review will verify that the efforts discussed above are, in fact, ensuring accurate data collection and reporting. This district level review will not be implemented as an on-going process due to the fact that Missouri is implementing a student ID system in the spring of 2005. As this student ID system develops over the next several years, we expect to have student level data on a statewide basis. At that point, we will develop a process of source document reviews to verify that data in the student level collection is accurate. The Special Education District Profile is available to districts on the web, however it has not yet been converted to a web-based application. This conversion is in progress and will result in districts and the public having access to more timely data reports.

The special education child count collection was not revised to collect data regarding youth with disabilities held in city/county jails. The revision was determined not to be required at this point, especially since the current collection is based on a point in time and this population has high mobility. These data will be collected through the Special Education Monitoring Self-Assessment (SEMSA) process.

4. Projected Targets:

- Continue to work with districts to improve the accuracy of the data collected and reported
- Develop a web-based District Profile system
- Develop and implement an on-site district data verification system in conjunction with the student ID system
- Additional targets are included in the Future Activities table.

5 & 6. Future Activities to Achieve Projected Targets/Results and Projected Timelines and Resources:

See also BF.IV

Cluster/ Probe	Improvement Strategies	Benchmarks/Activities	Timeline	Resources
GS.V BF.IV	Develop and implement a web-based application for the special education district profile.	Collaboration with IT and Core Data to develop web-based reporting of the data.	2005-06	<u>Section Responsibility:</u> Data <u>Funding Type:</u> Part B
		Policy developed to address the issues of confidentiality and the reporting of small cell size	2005-06	